

### **REMARKS**

The Office Action dated March 4, 2005 has been received and carefully noted. The above amendments to the claims and the following remarks are submitted as a full and complete response thereto.

Further to Applicants' Response to Restriction Requirement filed on September 1, 2004 and the Response to Election of Species Requirement filed on January 3, 2005, claims 4, 5, 7-9 are cancelled, without prejudice or disclaimer. Claims 1-3 and 6 are pending in the present application, with claim 1 being an independent claim.

No new matter has been entered. Claims 1-3 and 6 are respectfully submitted for consideration.

### **IN THE DRAWINGS:**

On page 2 of the Office Action, Fig. 7(B) was objected to because element numbered "226c" should be changed to "226a." Also, Figs. 9-12 were objected to because they are not labeled as "Prior Art." Accordingly, please substitute the attached Replacement Sheets containing Figs. 7(B) and 9-12 for the original sheets of drawings filed in connection with the present application, as set forth above. The Examiner's approval of the attached Replacement Sheets is respectfully requested.

### **REJECTIONS UNDER 35 U.S.C. §112**

On page 3 of the Office Action, claims 1-3 and 6 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. The above changes to claim 1 is respectfully submitted to address the issues with this claims. Reconsideration and withdrawal of the objections to this claim are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102:**

*In the Office Action, at page 2, claims 1 and 2 were rejected under 35 U.S.C. § 102 as being anticipated by JP 2000-179544 to ("JP '544"). The Office Action took the position that JP '544 describes all the recitations of independent claim 1 and related dependent claims. This rejection is traversed and reconsideration is requested.*

Independent claim 1, upon which claims 2-3 and 6 are dependent, recites a method for assembling a rotor of a power transmission device having an oscillator and a rotor rotatably assembled into said oscillator. The method includes loading a plurality of rolling elements to be arranged between said rotor and said oscillator via a retainer for positioning said rolling elements from inside said retainer, and assembling said rotor inside said loaded rolling elements.

As will be discussed below, JP '544 fails to disclose or suggest the elements of any of the presently pending claims.

JP '544 generally describes a needle roller having a holder including an external member 3, an internal member 4, and a roller 2. See paragraph [0013] and Drawing 4. The member 3 has an annular section 3a of a major diameter, and flange 3b which bent the shaft-orientations both ends of this annular section 3a to the bore side from the path of the pitch circle PCD of a roller array the outside direction. The member 4 is a cylinder-like thing and forms pockets 5 and 6 in two or more circumferential directions at equal intervals, respectively. As clearly shown in Drawings 4 and 7 of JP '544, the roller 2 is positioned where the member 3 is holding the roller 2 at a location radially within the roller 2. That is, the member 3 falls under the roller 2.

In contrast, independent claim 1 recites, "loading a plurality of rolling elements to be arranged between said rotor and said oscillator via a retainer for positioning said rolling elements **from inside** said retainer," emphasis added. The rolling elements recited in independent claim 1 are positioned from inside the retainer. In order to function as a bearing, the rolling elements are arranged between the rotor (eccentric body) and the oscillator (external gear) to make rolling contact with the rotor and the oscillator. Contrary to the assertions made in the Office Action, the member 3 and the member 4 of JP '544 do not hold the roller 2 inside thereof. Instead, the roller 2 is clearly held such that the roller 2 is partly outside both members 3 and 4.

In addition, independent claim 1 recites a method for assembling a rotor of a power transmission device comprising loading the rolling elements "to be arranged between said rotor and said oscillator via a retainer for positioning said rolling elements

from inside said retainer; and assembling said rotor inside said loaded rolling elements.”

In contrast, JP ‘544 relates to a reduction gear, not a method to assemble a rotor of a power transmission device. Paragraph [0003] of JP ‘544 states that rollers 74 in FIG. 7 of JP ‘544 are arranged into the pocket 75 of retainer 70 **from outside**, while the stop place 76 of the pocket 75 is elastically deformed. Emphasis added. This referred portion of JP ‘544 is the only portion in this reference in which a method step appears to be described. JP ‘544 does not provide any other description of a method to assemble the rotor including the features recited in independent claim 1.

In addition, dependent claim 2 depends from independent claim 1 and recite the additional features of “inserting an inner support ring into inside said loaded rolling elements, said inner support ring being **arranged radially inside a circle** connecting the rolling centers of said rolling elements and perforated with a plurality of inner pockets for allowing said rolling elements to be partially exposed to its inner side,” emphasis added. In contrast, in JP ‘544, the member 3 or the member 4 are not arranged radially inside a circle connecting the rolling center of the roller 2. JP ‘544 simply provides that the member 4 is formed in annular (of a minor diameter) from the path of the pitch circle PCD of a roller array in the inner direction. See paragraph [0013] and Drawings 4 and 7. The member 4 is smaller diameter than the pitch circle PCD. Nothing is provided in JP ‘544 that would provide the functional recitations of dependent claim 2.

Accordingly, it is respectfully asserted that independent claim 1 is not anticipated by JP '544 and it is respectfully requested that independent claim 1 and related dependent claims be allowed.

**REJECTION UNDER 35 U.S.C. § 103:**

*In the Office Action, at page 4, claim 3 was rejected under 35 U.S.C. § 103 as being unpatentable over JP 2000-179544 (JP '544), in view of U.S. Patent 4,398,777 of Murphy et al. ("Murphy"). Claim 6 was rejected on page 5 of the Office Action under 35 U.S.C § 103 as being unpatentable over JP 2000-179544 (JP '544). The Office Action took the position that JP '544 and Murphy disclose all the aspects of dependent claim 3. Also, the Office Action took the position that JP '544 and Murphy disclose all the aspects of claim 6. The rejection is traversed and reconsideration is requested.*

As will be discussed below, JP '544 and Murphy fail to disclose or suggest the elements of any of the presently pending claims.

Dependent claim 3 depends from independent claim 1 and recites the additional features of "the substep of pulling out said inner support ring." Claim 6 depends from independent claim 1 and recites the additional features of "the step of assembling said rotor is followed by step of fitting a rotor ring for restraining axial movement of said rolling elements onto an outer periphery of said rotor." Because the combination of JP '544 and Murphy must teach, individually or combined, all the recitations of the base

claim and any intervening claim of dependent claim 3 and because JP '544 must teach all the recitations of the base claim and any intervening claim of dependent claim 6, the arguments presented above supporting the patentability of independent claim 1 and dependent claim 2 over JP '544 are incorporated herein.

Murphy generally describes a roller assembly including a casing or body 10. See column 2, lines 33-44, and Figs. 1 and 2. A bore 12 extends through the body 10. A plurality of rollers 14 extend lengthwise within the bore 12 and are in contact with a surface 16 of the bore 12. However, Murphy does not cure the deficiencies of JP '544. Specifically, similarly to JP '544, Murphy fails to teach or suggest "loading a plurality of rolling elements to be arranged between said rotor and said oscillator via a retainer for positioning said rolling elements from inside said retainer," as recited in independent claim 1. Murphy does not teach or suggest the retainer of independent claim 1 that would allow positioning of the rollers 14 inside such retainer. The rollers 14 of Murphy are not inside the body 10 but are only touching the surface 16 of an inner surface of the body 10. See Figs. 1-9 of Murphy. Accordingly, even if JP '544 and Murphy were combined, a combination thereof would fail to teach or suggest all the recitations of independent claim 1.

In view of the foregoing, it is respectfully asserted that independent claim 1 is not obvious in view of JP '544 and Murphy and it is respectfully requested that independent claim 1 and related dependent claims 3 and 6 be allowed.

### **CONCLUSION:**


In view of the above, Applicants respectfully submit that the claimed invention recites subject matter which is neither disclosed nor suggested in the cited prior art. Applicants further submit that the subject matter is more than sufficient to render the claimed invention unobvious to a person of skill in the art. Applicants therefore respectfully request that each of claims 1-3 and 6 be found allowable and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time.

Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Petition for Extension of Time (One-Month)  
Replacement Drawing Sheets (5)



**AMENDMENTS TO THE DRAWINGS:**

Figs. 7(B) and 9-12 are amended as described below by presenting replacement figures as attached hereto.

In the Replacement Sheet of Fig. 7B, element number “226C” has been modified to element number “226A” and Figs. 9-12 have been labeled as “PRIOR ART,” as described in the Specification of the present application. No new matter has been added.